

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION**

BELLSOUTH TELECOMMUNICATIONS, INC. CIVIL ACTION NO. 05-1884

versus JUDGE HICKS

PHONE-LINK TELECOMMUNICATIONS, MAGISTRATE JUDGE HORNSBY  
INC., ET AL.

**O R D E R**

Bellsouth Telecommunications, Inc. ("Bellsouth") filed this civil action against Phone-Link Communications, Inc. ("Phone-Link") and Stanley P. Siwek, Dennis Landgraf, Santiago Santa Cruz, and Mike Hansen (the "individual defendants"). Bellsouth alleges that the individual defendants are directors, officers and/or shareholders of Phone-Link. Before the Court is a Motion to Dismiss the individual defendants for lack of personal jurisdiction [Doc. No. 13]. After conducting limited discovery, Bellsouth concedes that Louisiana lacks personal jurisdiction. However, Bellsouth moves the Court to transfer the action to the Western District of Kentucky pursuant to 28 U.S.C. § 1406. However, the Court cannot determine on the current record whether Kentucky would have personal jurisdiction over all of the individual defendants.

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, including the written objection filed by Bellsouth [Doc. No. 40], and concurring with the findings of the Magistrate Judge under the applicable law;

**IT IS ORDERED** that the Motion to Dismiss [Doc. No. 13] is **GRANTED** by **DISMISSING WITHOUT PREJUDICE**, for lack of personal jurisdiction, all claims against defendants Stanley Siwek, Dennis Landgraf, Santiago Santa Cruz, and Mike Hansen.

**THUS DONE AND SIGNED** in Shreveport, Louisiana, this 11th day of October, 2006.

  
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S. MAURICE HICKS, JR.  
UNITED STATES DISTRICT JUDGE